

Message Text

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TAGS: SOPN, OVIP (KISSINGER)

SUBJECT: PRESS MATERIAL

1. HERewith FULL TEXT THOMAS FRANCK AND EDWARD WEISBAND
OP-ED COLUMN NEW YORK TIMES MONDAY NOVEMBER 29 HEADED
„LAPDOGS NO MORE."

2. SINCE 1973, THE CONSTITUTION'S "INVITATION TO STRUGGLE,
HAS TURNED INTO A NASTY WAR BETWEEN CONGRESS AND PRESIDENT
FOR CONTROL OF FOREIGN RELATIONS.

3. THIS WAR HAS CONSISTED CHIEFLY OF CONGRESS' UNDOING
EXECUTIVE INITIATIVES. IT IS DIFFICULT FOR FOREIGN NATIONS
--FRIENDS AS WELL AS ENEMIES--TO RELATE TO A SUPERPOWER WHICH
FITFULLY ZIGZAGS ITS WAY THROUGH THE COURSE OF HUMAN EVENTS
WHILE VARIOUS ASPIRING CAPTAINS ARE SEEN TO GRAPPLE FOR
CONGROL OF THE WHEEL.

4. PRESIDENT-ELECT CARTER HAS STATED THAT A CEASE-FIRE WITH
CONGRESS IS A TOP PRIORITY. BUT HOW?

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5. ONE VETERAN OF THE WAR, FORMER SENATOR J. FULBRIGHT,

SAYS THAT IT WILL HAPPEN NATURALLY. "AFTER CARTER TAKES OVER, THE DEMOCRATIC LEADERSHIP WILL ALL REVERT TO BEING THE PRESIDENT'S LAPDOGS."

6. WE DISAGREE.

7. DURING THE PAST FOUR YEARS OF PRESIDENTIAL ECLIPSE, CONGRESSMEN AND SENATORS HAVE DEVELOPED A TASTE FOR THE LONG-FORBIDDEN FRUIT OF FOREIGN RELATIONS. THEY HAVE LEARNED THAT FOREIGN-POLICY INITIATIVES--ONCE CONSIDERED POLITICALLY UNREWARDING--NOW ATTRACT MEDIA ATTENTION AND POPULAR RECOGNITION.

8. IN PARTICULAR, ANY SECRETARY OF STATE APPOINTED BY MR. CARTER WILL SOON ENCOUNTER SENATOR FRANK CHURCH, SLATED TO CHAIR THE SENATE FOREIGN RELATIONS COMMITTEE AFTER SENATOR JOHN SPARKMAN RETIRES IN TWO YEARS. A RECOGNIZED FOREIGN-POLICY VIRTUOSO--AND A REJECTED SUITOR FOR MR. CARTER'S VICE PRESIDENCY--MR. CHURCH WILL MAKE AN UNEASY SECOND FIDDLER.

9. NOR SHOULD THE PRESIDENT-ELECT COUNT TOO HEAVILY ON PARTY LOYALTY. THE CONGRESS IS NORMALLY THE PRESIDENCY'S OFFICIAL OPPOSITION. THERE TENDS TO BE CLOSER AFFINITY BETWEEN REPUBLICANS AND DEMOCRATS ON THE FOREIGN RELATIONS COMMITTEE THAN BETWEEN A PRESIDENT AND SENATORS OF HIS OWN PARTY. AMONG THE MOST TENACIOUS FOREIGN-POLICY CRITICS DURING THE NIXON-FORD ADMINISTRATION WERE THE RANKING COMMITTEE REPUBLICANS, SENATORS CLIFFORD CASE AND JACOB JAVITS.

10. FURTHER MILITATING AGAINST ANY SLIDE BACK INTO THE PAST IS THE RECENT RAPID GROWTH OF A CONGRESSIONAL FOREIGN POLICY BUREAUCRACY. CONGRESS, IN THE LAST FIVE YEARS, HAS DEVELOPED A VIRTUAL COUNTER-STATE DEPARTMENT COMPOSED OF PREDOMINANTLY YOUNG, EXPERIENCED AND AGGRESSIVE EXPERTS WHO ARE OUT TO MAKE THEIR OWN MARKS ON THE FOREIGN POLICY MAP. SUPPORTING THEM IS A NEW MATRIX OF LAWS THAT INSTITUTIONALIZE CONGRESSIONAL ACTIVISM.

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11. THIS DOES NOT NECESSARILY MEAN THAT CONGRESS WILL BE AS BELLIGERANT TO MR. CARTER AS TO RICHARD NIXON AND GERALD FORD. THERE WILL BE THE TRADITIONAL "HONEYMOON" AND MR. CARTER WILL NOT BE CURSED WITH THE UNORIGINAL SINS OF VIETNAM, WATERGATE OR THE C.I.A.

12. MOST IMPORTANT, MR. CARTER'S OUTLOOK BALANCES OLD

ELITIST WITH NEWER POPULIST PROCLIVITIES. LIKE HENRY KISSINGER, HE MAY SOMETIMES WORRY ABOUT A CONGRESS WHERE, IN ROUSSEAU'S WORDS, "ALL MEN CONSTANTLY WISH THE HAPPINESS

OF EACH BUT THERE IS NO ONE WHO DOES NOT TAKE THAT WORD 'EACH' TO PERTAIN TO HIMSELF." BUT, UNLIKE MR. KISSINGER, HE WILL UNDERSTAND THAT A FOREIGN POLICY IS MORE LIKELY TO SUCCEED IF IT IS CONCEIVED IN THE CACOPHONY OF FULL CONGRESSIONAL PARTICIPATION.

13. A NEW RELATIONSHIP, HOWEVER, REQUIRES MORE THAN EMPATHETIC PROCLIVITIES. IT MUST BEGIN WITH A TOTAL RESTRUCTURING OF THE CONGRESSIONAL-EXECUTIVE MESH. DURING THE NIXON AND FORD YEARS, RELATIONS WITH CONGRESS PROCEEDED PRIMARILY VIA TWO CHANNELS: MR. KISSINGER AND A FEW LIAISON PROFESSIONALS. IT DIDN'T WORK WELL BECAUSE EVERYONE ON THE HILL IGNORED THE POWERLESS MESSENGERS AND DEMANDED THE ALL-POWERFUL SECRETARY. DENIED, THEY FELT INSULTED RATHER THAN CONSULTED.

14. THIS TIME AROUND, THE EXECUTIVE MUST OPEN MORE LEVELS OF COMMUNICATION.

15. BY RECENTLY VOTING ITSELF A LARGE NEW FOREIGN POLICY BUREAUCRACY, CONGRESS HAS COINCIDENTALLY OPENED NEW ENTRY POINTS. A STATE DEPARTMENT DESK OFFICER CAN NOW FIND FOREIGN RELATIONS SPECIALISTS ON THE PERSONAL STAFFS OF MANY SENATORS, THE STAFFS OF NUMEROUS HOUSE AND SENATE COMMITTEES AND SUB-COMMITTEES, THE GENERAL ACCOUNTING OFFICE AND EVEN IN THE OFFICE OF THE LEGISLATIVE COUNSEL. THEY WIELD INFLUENCE AND, UNLIKE MOST CONGRESSMEN, HAVE THE ATTENTION SPAN TO FACILITATE EFFECTIVE DIALOGUE WITH MIDECHELON FOGGY BOTTOM COUNTERPARTS.
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16. MR. KISSINGER EXPRESSLY VETOED A PROPOSAL TO ENCOURAGE MIDECHELON CONTACTS, FEARING LOSS OF CONTROL IF A HUNDRED FLOWERS WERE TO BLOOM. YET HE FAILED TO STOP THE MALCONTENTS' TAKING THEIR APPEALS TO CONGRESS: FEW SECRETARIES HAVE COME CLOSER TO LOSING CONTROL OVER THEIR DEPARTMENTS.

17. INSTEAD OF DISCOURAGING BUREAUCRATIC NETWORK-BUILDING ACROSS THE CHASM THAT MARKS THE SEPARATION OF POWERS, SUCH ACTIVITY SHOULD NOW BE ENCOURAGED AND OPENLY CONDUCTED, FOR IT CAN DAMPEN INCIPIENT CONFLICTS AND MAKE POLICY CHOICES LESS INTENSELY ADVERSARY.

18. (THOMAS FRANCK IS PROFESSOR OF LAW AT NEW YORK UNI-

VERSITY, EDWARD WEISBAND IS ASSOCIATE PROFESSOR OF POLITICAL SCIENCE AT SUNY, BINGHAMTON. THEY ARE CURRENTLY AT WORK ON A BOOK: "THE INCONGRUOUS CONGRESS.") (END TEXT)
ROBINSON

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